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Taking forward multilateral nuclear disarmament negotiations

A progressive approach to a world free of nuclear weapons: revisiting the building blocks paradigm

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Basic vision

1. The international community shares the goal of a peaceful and secure world free of nuclear weapons. The reality is that there will be no quick fixes if our goal is effective, verifiable and irreversible nuclear disarmament. Nor can the legitimate security concerns of States be brushed aside. Only by addressing both the security as well as humanitarian dimensions of nuclear weapons can we take the incremental but necessary steps that will enhance security for all and provide the best chance of reaching a world without nuclear weapons.

2. Any process that can effectively lead us to a world free of nuclear weapons will by necessity be an inclusive one. Both the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) non-nuclear-weapon States and nuclear-weapon States have critical and cooperative roles to play in this regard. Moreover, in order to achieve a world free of nuclear weapons, not just five nuclear-weapon States under the NPT but all States that possess nuclear weapons will need to be involved.

3. States may differ on the means and sequencing for achieving that goal and, indeed, what would constitute effective measures to get us to that point. Nevertheless, in order to move forward in nuclear disarmament, and ultimately to achieve a world free of nuclear weapons, the international community should focus not on differences but on common ground by identifying concrete and practical "building blocks" to reach that shared goal.

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4. To advance us to a world free of nuclear weapons foresees the possibility of a focus on building blocks, consisting of parallel and simultaneous effective measures which would compose the "progressive approach". These can be of a multilateral, plurilateral, bilateral or unilateral nature, and are mutually enforcing.

5. This combination of both non-legal measures and legal measures to achieve a world free of nuclear weapons are the basic ingredients of the "progressive approach". When global zero becomes within reach, we would need additional legal measures to achieve and maintain a world without nuclear weapons. At that point, Article VI of the NPT would be realised. Needless to say, significant work remains ahead of us before we attain this point.

6. For a progressive approach to be effective, it must leverage the existing global regime, and in particular the NPT. The NPT already contains hard-won treaty-level commitments on the goal of eliminating all nuclear weapons, including as outlined in Article VI. All five nuclear-weapon States have agreed to an unequivocal undertaking to accomplish the total elimination of their nuclear arsenals. The Treaty provides the necessary foundation (including its previous consensus documents such as the 2010 NPT Action Plan and the 13 practical steps to disarmament) for all States to work together on key building blocks, both legal and non-legal.

7. Nuclear disarmament and non-proliferation are mutually reinforcing processes. Measures which strengthen the non-proliferation regime of nuclear weapons are essential if we are serious about a future without nuclear weapons. Aside from their own intrinsic value to security, they also help create an appropriate climate for disarmament to progress. For example, the possession of nuclear weapons by States outside the NPT and non-compliance with the Treaty's provisions by States party to the Treaty poses a serious risk to global non-proliferation and disarmament efforts, hence underlining the need to continue NPT universalisation efforts. Another example is securing the entry into force of the Comprehensive Nuclear-Test-Ban Treaty (CTBT) which will reinforce the global norm against nuclear testing, but will also advance key disarmament and non-proliferation objectives.

8. We must take into account the prevailing international environment. Progress in multilateral nuclear disarmament thus requires as an immediate priority the promotion of practical and effective confidence-building measures. To this end, it is vital to avoid further fragmentation of the international community which would delay the entire process of nuclear disarmament. Building a climate for further confidence and trust will be essential to ensure inclusive processes. Such trust must be built through demonstrated implementation of concrete disarmament measures by all States possessing nuclear weapons, as well as ongoing commitment to non-proliferation by all non-nuclear-weapon States.

Effective practical measures

9. These include:

(a) Increasing transparency measures, particularly among the nuclear-weapon States and other States with nuclear weapons, in relation to their nuclear arsenals, strategic and non strategic, and fissile material holdings, including higher degrees of specificity on nuclear warheads reductions, as well as improving the quality and frequency of reports to enhance transparency.

(b) Dismantling or converting for peaceful uses facilities for the production of fissile material for use in nuclear weapons or other nuclear explosive devices.

(c) Reducing the risk of accidental or unauthorised use of nuclear weapons through further practical measures to reduce the operational status of nuclear weapons

systems in ways that promote international stability and security. De-alerting nuclear weapon systems would reduce risks and build confidence among nuclear and non-nuclear weapon States.

10. Taking into account relevant security considerations, striving in a balanced way to:

(a) Reduce the number of deployed strategic nuclear weapons.

(b) Reduce the number of non-strategic and non-deployed nuclear weapons.

(c) Commitment by States that possess nuclear weapons to reduce, and at least freeze, the number of nuclear weapons in holding pending the commencement and conclusion of a plurilateral negotiations on nuclear weapons reductions.

(d) Reduce the role of nuclear weapons in security doctrines.

(e) Pending the entry into force of the CTBT, maintenance and declaration by all States possessing nuclear weapons of moratoria on nuclear weapons tests, as well as restraint from the use of new nuclear weapons technologies and from any action that would defeat the object and purpose of that Treaty.

(f) Pending negotiations and the entry into force of a treaty banning the production of fissile material for nuclear weapons or other nuclear explosive nuclear devices, maintenance and declarations of, by all States possessing nuclear weapons, moratoria on the production of fissile material for nuclear weapons purposes.

(g) Promoting disarmament and non-proliferation education, including on humanitarian consequences of the use of nuclear weapons, especially in States that possess nuclear weapons.

(h) Continuing work on developing verification capabilities, such as through the International Partnership for Nuclear Disarmament Verification, to meet the present and future challenges of transparent, irreversible and effectively verifiable nuclear disarmament. Such challenges will only multiply as nuclear arsenals are reduced on the way to a world free of nuclear weapons.

(i) Continued commitment by all States possessing nuclear weapons to respect fully their commitments with regard to security assurances or to extend such assurances if they have not yet done so.

(j) An immediate return to substantive work in the Conference on Disarmament, including on negotiations for a treaty banning the production of fissile materials for nuclear weapons and other nuclear explosive devices as well its other nuclear-related core issues, notably dealing with nuclear disarmament, and effective international arrangements to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons.

(k) Supporting and strengthening the International Atomic Energy Agency (IAEA) safeguards system, including universal adherence to and implementation of comprehensive safeguards agreements and additional protocols.

(l) Promoting the implementation of the Hague Code of Conduct (HCOC) and contributing to its universal adoption.

(m) Helping to create conditions that would facilitate further major reductions in nuclear arsenals, including efforts to reduce levels of hostility and tension between States – particularly between those possessing nuclear weapons. Confidence-building measures play an important role in this.

Effective Legal Measures

11. In addition to past bilateral and unilateral "building blocks", including the significant reductions in the global nuclear-weapon stockpile since its peak in the 1980s, there are already in place a number of multilateral legal "building blocks" in support of achieving and maintaining a world free of nuclear weapons. Being aware that the NPT is the cornerstone of the global nuclear non-proliferation regime, these other mutually supporting instruments include the IAEA safeguards system, the Partial Test Ban Treaty, the Outer Space Treaty, , the Sea-bed Arms Control Treaty, the CTBT and the International Convention for the Suppression of Acts of Nuclear Terrorism, as well as the multilateral disarmament machinery. More legal "building blocks" are required.

12. Of established legal blocks, the NPT (and in particular Article VI) remains the central pillar to the "progressive approach" as mentioned above in paragraph 4. It is only through a strong NPT and its universalisation that we can keep a lid on proliferation, as well as to continue to make progress on the basis of Article VI commitments. In particular, we need a clear focus on the ongoing importance of the NPT, including the full implementation of the 2010 NPT action plan and the 13 practical steps to disarmament agreed at the 2000 NPT review conference.

13. Other effective legal measures that we could consider are:

(a) Achieving the early entry into force of the CTBT

(b) Negotiating a verifiable and non-discriminatory treaty banning the production of fissile material for nuclear weapons or other nuclear explosive devices which deals with all relevant questions for the achievement of its purpose, building on the 2015 GGE report

(c) Commencement of negotiations on a post-New Strategic Arms Reduction Treaty (START) between the United States and the Russian Federation, as proposed by US President Obama in Berlin in 2013

(d) Universalizing the International Convention for the Suppression of Acts of Nuclear Terrorism

(e) Promoting the entry into force of the 2005 Amendment to the Convention on the Physical Protection of Nuclear Material

(f) Providing support for the practical implementation of United Nations Security Council resolution 1540

(g) Designating fissile material no longer required for military purposes and the development of legally binding verification arrangements, within the context of IAEA, to ensure the irreversible removal of such fissile material

(h) Strengthening nuclear-weapon-free zones and creating new nuclear-weapon-free zones and WMD free zones on the basis of arrangements freely arrived at among States of the region concerned

(i) Commence plurilateral or multilateral nuclear weapons reduction negotiations.

Conclusion

14. The international community now has the challenge of clarifying the logical sequence of "effective measures" including short, medium and longer term perspectives. An important landmark of the progressive approach will be when we reach the "minimisation" point where weapon numbers are reduced to very low numbers and when

an internationally reliable verification regime with effective verification techniques and methods is established. In due course, looking towards a world free of nuclear weapons, it will be necessary to give further thought, with a longer perspective, to how a non-discriminatory and internationally verifiable nuclear disarmament framework such as, a multilateral nuclear weapons convention or a plurilateral arrangement among those with nuclear weapons, would look like as the final "building block". Such a legal arrangement would give States assurances that nuclear weapons had been destroyed and that no new weapons were being produced. The inclusion of all States with nuclear weapons in any such negotiation would be an axiomatic requirement. But much prior work needs to be done to get to this minimisation point.

15. We do not have to wait until this point is reached before giving consideration to the many political, security, technical verification and enforcement issues that remain to be resolved before States would be prepared to progress to minimisation point and then to give up their last nuclear weapons. We could start with this now. For example, any regional issues that would hinder nuclear disarmament would need to be addressed. Those with nuclear weapons could then give consideration to negotiating a plurilateral treaty among themselves which would enable the further reduction of weapons to proceed.

16. The prevailing environment of trust and confidence will influence the development of such a final measure, and must remain an important consideration as we continue to move towards our shared goal. An early contribution to development of trust and confidence would be agreement on a broad and flexible "framework", comprising non-legal and legal measures, which should drive the disarmament process. The Open-ended Working Group gives us an opportunity to address this urgent task. It is in the interest of all States, and in particular but not exclusively those possessing nuclear weapons, to be part of this discussion on what measures would be taken under this "progressive approach".